

NOTICE OF OPEN MEETING

AGENDA

5th Meeting

DATE: Tuesday, April 26, 2016

TIME: 9:00 a.m.

PLACE: Rhode Island Ethics Commission
Hearing Room - 8th Floor
40 Fountain Street
Providence, RI 02903

1. Motion to approve minutes of Open Session held on March 22, 2016.
2. Advisory Opinions:
 - a.) Stephen S. Neuman, the Chief of Staff to the Governor of the State of Rhode Island, requests an advisory opinion concerning how to manage and avoid potential conflicts of interest related to pending legislation regarding daily fantasy sports games, and potential regulation of such games, given that his spouse is employed by DraftKings and her compensation includes an equity interest in the company.
 - b.) Nina Pande, a member of the Providence School Board, requests an advisory opinion from the Ethics Commission authorizing an exception to the Municipal Official Revolving Door provision of the Code of Ethics so that she may apply for employment with the City of Providence as the Mayor's Director of Policy.
 - c.) Leslie MacDougall, an Environmental Health Food Specialist for the Rhode Island Department of Health, Office of Food Protection, requests an advisory opinion regarding whether the Code of Ethics prohibits her from working, on her

own time and in her private capacity, as a food safety consultant for food establishments in Connecticut and/or Massachusetts.

- d.) John Shehan, a former member of the Newport Historic District Commission, requests an advisory opinion regarding whether he qualifies for a hardship exception to the Code of Ethics' prohibition on representing clients before his former board within one year of his resignation.
 - e.) Daniel M. Gendron, a member of the Woonsocket City Council, requests an advisory opinion regarding whether the Code of Ethics prohibits him from participating in the City Council's consideration of a Payment in Lieu of Taxes Agreement for Mount Saint Charles Academy, a private Catholic junior-senior high school attended by the Petitioner's daughter.
3. Director's Report:
- a.) Docket Status Update.
4. Commission discussion and potential vote re: a Petition filed by Johanna Harris to initiate rule-making proceedings concerning enforcement of subsection (5) of R.I. Gen. Laws § 36-14-16(a).
5. Legislative Update: A discussion of the Commission's legislative agenda and priorities for 2016, and a review, discussion and possible vote as to the Commission's position on pending and anticipated legislation including:
- a.) Senate Resolution 2016 – S2427. Resolution submitted by Senator James Sheehan to approve and publish and submit to the electors a proposition of amendment to the Constitution of the State (Ethics Commission). This is being proposed as a “compromise” bill to restore the authority of the Ethics Commission over the General Assembly in light of the Irons decision. This proposal would add an appeal by jury trial for some violations of the Code; would expressly protect certain legislative speech; and would make minor changes in the process for legislatively nominating commission members.
 - b.) Senate Resolution 2016 – S2060 and House Resolution 2016 – H7577: Identical Senate and House Resolutions to approve and publish and submit to the electors a proposition of amendment to the Constitution of the State (Ethics Commission). This resolution would propose amendments to the Ethics Clause and the Speech in Debate Clause of the Rhode Island Constitution, to clarify that members of the General Assembly are subject to the jurisdiction of the Ethics Commission notwithstanding the Speech in Debate Clause.

6. Motion to go into Executive Session, to wit:
 - a.) Motion to approve minutes of Executive Session held on March 22, 2016, pursuant to R.I. Gen. Laws § 42-46-5(a)(2) and (4).
 - b.) In re: Donald J. Lally, Jr., Complaint No. 2015-7, pursuant to R.I. Gen. Laws § 42-46-5(a)(2) and (4).
 - c.) Preliminary Investigation No. 2016-1, pursuant to R.I. Gen. Laws § 42-46-5(a)(2) and (4).
 - d.) Motion to return to Open Session.
7. Motion to seal minutes of Executive Session held on April 26, 2016.
8. Report on actions taken in Executive Session.
9. New Business proposed for future Commission agendas and general comments from the Commission.
10. Adjournment.

ANYONE WISHING TO ATTEND THIS MEETING WHO MAY HAVE SPECIAL NEEDS FOR ACCESS OR SERVICES SUCH AS A SIGN LANGUAGE INTERPRETER, PLEASE CONTACT THE COMMISSION BY TELEPHONE AT 222-3790, 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. THE COMMISSION ALSO MAY BE CONTACTED THROUGH RHODE ISLAND RELAY, A TELECOMMUNICATIONS RELAY SERVICE, AT 1-800-RI5-5555.

Posted on April 21, 2016